

Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	0

MR. SPEAKER:

Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1038, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
- 2 "SECTION 1. IC 9-30-5-5.5 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2005]: **Sec. 5.5. A law enforcement agency**
- 5 **shall report to an intake officer under IC 31-34-7-1 that a child who**
- 6 **is a passenger in a motor vehicle may be a child in need of services**
- 7 **if:**
- 8 (1) a person is arrested for violating section 1, 2, 3, 4, or 5 of
- 9 this chapter;
- 10 (2) at the time of arrest, the person had a passenger in the
- 11 person's motor vehicle who was a child less than eighteen (18)
- 12 years of age; and
- 13 (3) the person who was arrested is the:
- 14 (A) parent;
- 15 (B) guardian; or
- 16 (C) custodian;

1 **of the child described in subdivision (2).**

2 SECTION 2. IC 31-34-7-1 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. **(a)** A person may
 4 give an intake officer written information indicating that a child is a
 5 child in need of services. If the intake officer has reason to believe that
 6 the child is a child in need of services, the intake officer shall make a
 7 preliminary inquiry to determine whether the interests of the child
 8 require further action. Whenever practicable, the preliminary inquiry
 9 should include information on the child's background, current status,
 10 and school performance.

11 **(b) A law enforcement agency shall report to an intake officer**
 12 **under IC 9-30-5-5.5 that a child who is a passenger in a motor**
 13 **vehicle may be a child in need of services if:**

14 **(1) a person is arrested for violating IC 9-30-5-1 through**
 15 **IC 9-30-5-5;**

16 **(2) at the time of arrest, the person had a passenger in the**
 17 **person's motor vehicle who was a child less than eighteen (18)**
 18 **years of age; and**

19 **(3) the person who was arrested is the:**

20 **(A) parent;**

21 **(B) guardian; or**

22 **(C) custodian;**

23 **of the child described in subdivision (2)."**

24 Delete pages 2 through 3.

(Reference is to HB 1038 as introduced.)

and when so amended that said bill do pass.

Representative Budak